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Letter dated 24 October 2002 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 24 October 2002 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq (see annex). It states that Iraq is committed to its undertakings and obligations relating to the resumption by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency of their work in Iraq. It further calls attention to the position adopted by the United States in the Security Council of preventing this from happening, an attitude that is incompatible with that of the majority of Member States of the United Nations as expressed in the open meeting on Iraq held by the Security Council on 16 and 17 October 2002.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Permanent Representative

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Annex to the letter dated 24 October 2002 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

During the summit conference of the Organization of the Islamic Conference held in Doha in 2000 our joint initiative was formed to reactivate the dialogue between Iraq and the United Nations in order to break the deadlock in the relationship between Iraq and the Security Council and achieve a comprehensive solution that, once implemented, would ensure that all the obligations set forth in the relevant Security Council resolutions could be met. The four rounds of dialogue held with you made progress towards laying a suitable foundation for a comprehensive solution that was fair to Iraq and met the requirements of the Security Council's resolutions.

In your opening statement to the fifty-seventh session of the General Assembly on 12 September 2002, you appealed to the Government of Iraq to agree to the return of the inspectors as a first step towards an assurance that Iraq no longer possesses weapons of mass destruction and towards a comprehensive solution that includes the suspension and eventual ending of the sanctions and the timely implementation of other provisions of the relevant Security Council resolutions.

In response to your appeal and to similar appeals from the Secretary-General of the League of Arab States, the Arab countries and many friendly countries, the Government of Iraq agreed to allow the unconditional return of the United Nations arms inspectors to Iraq. The Government of Iraq also expressed its readiness to discuss the practical arrangements necessary for the immediate resumption of inspection activities. I addressed to you a letter dated 16 September 2002 stating this position, and you in turn addressed to the President of the Security Council a letter dated 16 September 2002 transmitting my letter to him (S/2002/1034). In that letter, you reaffirm the concept you had mentioned in your statement to the General Assembly on 12 September 2002 that the return of the inspectors was a first step towards a comprehensive solution that includes the suspension and eventual ending of the sanctions and the timely implementation of other provisions of the relevant Security Council resolutions.

In implementation of that commitment, the Government of Iraq held technical talks with a delegation from the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Vienna on 30 September and 1 October 2002, and the two sides agreed on the practical arrangements necessary for the return of the inspectors. The two sides also agreed that the inspectors should arrive in Iraq on 19 October 2002.

In their briefing to the Security Council on 3 October 2002, Mr. Hans Blix and Mr. Mohamed ElBaradei stated that there were no legal obstacles to the speedy return of the inspectors to Iraq. Mr. Blix repeated this in his written statement to the Security Council on 15 October 2002, and Mr. ElBaradei did so in the position paper that was circulated to the members of the Council at these same consultations.

The Iraqi side having completed its preparations to receive the inspectors on 19 October 2002 as agreed, the day came and the inspectors did not arrive. The Iraqi side was not notified that their arrival would be postponed or of the reasons for its postponement or the proposed new date for their arrival.

It seemed evident that the United States had prevented the UNMOVIC and IAEA inspectors from proceeding to Iraq when the majority of the States members of the Security Council and the majority of the States Members of the United Nations whose representatives had spoken at the open meeting of the Security Council on Iraq held on 16 and 17 October 2002 had endorsed the need for the expeditious return of the inspectors to Iraq to complete their tasks.

That the United States has prevented the inspection team from arriving in Iraq as scheduled on 19 October 2002 is a violation of the understanding reached between Iraq and the Secretary-General of the United Nations as set forth in the letter dated 16 September 2002 from the Secretary-General addressed to the President of the Security Council and is also a violation of the practical arrangements agreed by Iraq and UNMOVIC/IAEA in Vienna on 1 October 2002, including the date established for the return of the inspectors.

The Government of the United States does not want the inspectors to return, because they would reveal the falsity of its allegations and because that would mean requiring the Security Council to lift the unjust embargo imposed on Iraq and to implement paragraph 14 of Security Council resolution 687 (1991), which calls for the elimination of the nuclear, chemical and biological weapons of mass destruction that Israel possesses.

The entire international community looks to the United Nations to enhance the authority of international law and of the principles of the Charter of the United Nations in relations between States. When Iraq agrees to the return of the inspectors as a first step towards the lifting of the unjust embargo and the other restrictions imposed on it and when a single State prevents the return of the inspectors, this means that Iraq has discharged its obligations in full, that it is for the Security Council to meet its corresponding commitments to lift the unjust embargo and implement paragraph 14 of resolution 687 (1991) and that all the other restrictions imposed on Iraq under the Security Council resolutions become void.

There are ongoing consultations in the Security Council and elsewhere on the adoption of a new resolution by the Council concerning the inspection mechanism. We see no need for the adoption of such a new resolution, because the resolutions and mechanisms in place are more than sufficient to ensure that the inspection process can begin and that it can proceed in the direction desired by the international community, namely towards ascertaining that Iraq is free of weapons of mass destruction. Mr. Blix and Mr. ElBaradei have affirmed in their written statements to the Security Council that there are no legal or practical obstacles that would prevent inspection activities from beginning.

The adoption of any resolution that is incompatible with the understandings and agreements reached between Iraq and the Secretary-General and between Iraq and UNMOVIC/IAEA would mean that the Security Council does not honour its undertakings and that it rewrites them in response to pressures from a single party that wants the Security Council to be an instrument of its bellicose foreign policy. At the same time, the Council does require others to honour the undertakings that they have given.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs